

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES R. MEDICRAFT,

**Plaintiff,**

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DEREK P. LEUZZI, *et al.*,

## Defendants.

CASE NO. 2:20-cv-01145-JCC-JRC

ORDER TO SHOW CAUSE  
REGARDING STIPULATED  
PROPOSED ORDER REGARDING  
ELECTRONICALLY STORED  
INFORMATION

This matter is before the Court on the parties' stipulated agreement regarding electronically stored information ("ESI agreement"). Having reviewed the ESI agreement in conjunction with the Court's model ESI order,<sup>1</sup> the undersigned has identified departures from the model that the undersigned does not intend to approve. In particular, the Court does not intend to adopt the parties' proposal to dispense with a privilege log, as this provision protects the parties from failing to identify relevant documents that the parties may not agree are privileged and that are subject to disclosure.

<sup>1</sup> Available at <https://www.wawd.uscourts.gov/court-forms>.

1 Filed with this Order is the version of the parties' ESI agreement that the undersigned  
2 intends to adopt. Changes from the parties' stipulated order are redlined. If the parties have any  
3 objection to the undersigned signing the amended ESI agreement filed with this Order, they shall  
4 file their objections on or before January 8, 2021. If no such objections are filed, the Court will  
5 sign and file the amended ESI order filed with this Order after January 8, 2021.

6 Dated this 21st day of December, 2020.

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11 J. Richard Creatura  
12 United States Magistrate Judge  
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